

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 90-305-C - ORDER NO. 90-755 ✓
AUGUST 9, 1990

IN RE: Proceeding to Consider Allowing) ORDER
Local and IntraLATA 0+ Collect) GRANTING
Authority for COCOT Providers) PETITION TO
Serving Confinement Facilities.) INTERVENE
) OUT OF TIME

This matter comes before the Public Service Commission of South Carolina (the Commission) by way of a Petition to Intervene filed July 19, 1990, on behalf of Telink Telephone Systems, Inc. (Telink). Telink requests permission to intervene and be made a party to the proceedings in the instant docket. This docket was originally set up to consider a request by Southern Bell Telephone & Telegraph Company (Southern Bell) for approval of certain revisions to its access service tariff which would allow it to provide for billing and collection services to clearinghouse agents for calls billed on behalf of properly certified COCOT providers. The proceeding was later changed to consider requiring Southern Bell to provide billing and collection service for intraLATA calls placed through COCOT telephones by the intervenors in the instant docket. The original return date was March 26, 1990. On July 10, 1990, the Commission issued Order No. 90-663 in the instant docket which determined that COCOT providers

do not have the authority to provide "0+" collect, local and intraLATA traffic. Additionally, the Commission determined that a new proceeding should be initiated to consider whether such authority should be allowed for COCOT providers serving confinement facilities.

Telink alleges, in support of its Petition, that it has been certified by the Commission to provide customer owned, coin operated telephones in South Carolina, by Order No. 90-138, issued in Docket No. 85-150-C. Telink further alleges that it has applied for authority to resale intraLATA and interLATA long distance telephone service by its application filed in Docket No. 89-550-C, which a hearing has been held but no Order issued. Telink asserts that in Order No. 90-663, the Commission, in scheduling the proceeding to determine the question of whether COCOTs providing service to confinement facilities should be authorized to provide "0+" intraLATA and local collect operator assisted calls, recognized its significance to Telink by specifically holding in abeyance any decision on Telink's application in Docket No. 89-550-C. Because Telink has a direct and substantial interest in this proceeding, it asserts that it should be permitted to intervene as a party with full rights to present witnesses, exhibits and arguments.

The Commission has considered the Petition to Intervene filed by Telink. The Commission is aware of the impact of the matters in the instant docket on the Application of Telink filed in Docket No. 89-550-C. The Commission also recognizes that it has rescheduled

the hearing in this matter to commence on September 12, 1990. By allowing Telink's intervention, albeit, out of time from the original return date, the Commission is of the opinion that since it has spawned another proceeding to make further determinations in this docket, the Commission is of the opinion that Telink should be allowed to intervene to assert any rights it may have as an intervenor in this matter. The Commission finds that Telink filed its Petition within nine days of the issuance of Order No. 90-663, and that such filing was within a reasonable period of time. The Commission is of the opinion and so finds no party will be prejudiced by the addition of Telink to the proceeding and that Telink's intervention in this matter will not delay the hearing scheduled for September 12, 1990. Therefore, the Petition to Intervene filed out of time by Telink Telephone Systems, Inc. is hereby granted by the Commission.

IT IS SO ORDERED.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)